

## § 1401.6

public health and environment by reducing ozone in the upper atmosphere.”

(b) The identification and warning statement required by paragraph (a) of this section shall be in addition to any other required labeling and shall be sufficiently prominent and conspicuous as to be likely to be read and understood by ordinary individuals under normal conditions of purchase. This identification and warning statement shall appear on the immediate container of the product and also on any outside container or wrapper in which the product is normally offered for sale at retail. The identification and warning statement may appear on a firmly affixed tag, tape, card, or sticker or similar overlabeled attached to the package.

[42 FR 42783, Aug. 24, 1977; 42 FR 46285, Sept. 15, 1977]

### § 1401.6 Effective date.

This part becomes effective February 20, 1978.

## PART 1402—CB BASE STATION ANTENNAS, TV ANTENNAS, AND SUPPORTING STRUCTURES

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APPENDIX I TO PART 1402—RECOMMENDED OUTLINE FOR INSTRUCTION BOOKLET ON “HOW TO SAFELY INSTALL YOUR CB BASE STATION ANTENNA”

AUTHORITY: 15 U.S.C. 2051, 2076.

SOURCE: 43 FR 28392, June 29, 1978, unless otherwise noted.

### § 1402.1 Scope.

(a) This part 1402 requires manufacturers (including importers) of Citizens Band (CB) base station antennas, outdoor television (TV) antennas, and their supporting structures to provide notification of ways to avoid the hazard of electrocution which exists when these products are allowed to come near powerlines while the antennas are being put up or taken down. The notification must be provided to (1) prospec-

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tive purchasers of such products at the time of original purchase and (2) the first purchaser of such products for purposes other than resale. The notification consists of instructions to accompany the products, warning labels on the products, and warning statements on the packaging or parts container. Samples of the instructions, labels, and warning statements must also be provided to the Consumer Product Safety Commission.

(b) This part 1402 applies to any of the following that are “consumer products” as defined in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052) and that are manufactured or imported, or packaged or sold by the manufacturer or importer, after September 26, 1978.

(1) Antennas designed or intended to be used as outdoor CB base station antennas (referred to in this rule as “CB base station antennas”).

(2) Antennas designed or intended to be used as outdoor TV receiving antennas (referred to in this rule as “TV antennas”).

(3) Antenna supporting structures, which are elements over 5 feet in length that are intended to support these types of antennas at a higher elevation. These structures include towers, tripods, and masts. Devices which merely secure the antenna in place are not included.

[43 FR 28392, June 29, 1978, as amended at 43 FR 47722, Oct. 17, 1978]

### § 1402.2 Background.

As a result of numerous electrocutions which have occurred when consumers contacted powerlines with CB base station and outside TV antennas while putting these antennas up or taking them down, the Consumer Product Safety Commission has determined that it is necessary to require that warnings and instructions be furnished with these antennas and their supporting structures so that consumers can be made aware of the hazards involved and of safe ways to put up and take down these antennas. The Commission anticipates that this regulation will help protect the public against the unreasonable risk of injury

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associated with CB base station antennas, outside TV antennas, and supporting structures due to contact with overhead powerlines.

### § 1402.3 Definitions.

(a) The definitions in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052) apply to this part 1402.

(b) *Antenna supporting structures, CB base station antennas, and TV antennas* are defined in §1402.1(b)(1) through (3).

### § 1402.4 Requirements to provide performance and technical data by labeling and instructions.

(a) *Notice to purchasers.* Manufacturers of CB base station antennas, TV antennas, and antenna supporting structures shall give notification of performance and technical data related to performance and safety to prospective purchasers of such products at the time of original purchase and to the first purchaser of such product for purposes other than resale, in the manner set forth below.

(1) *Antennas.* CB base station antennas and TV antennas shall be provided with the following:

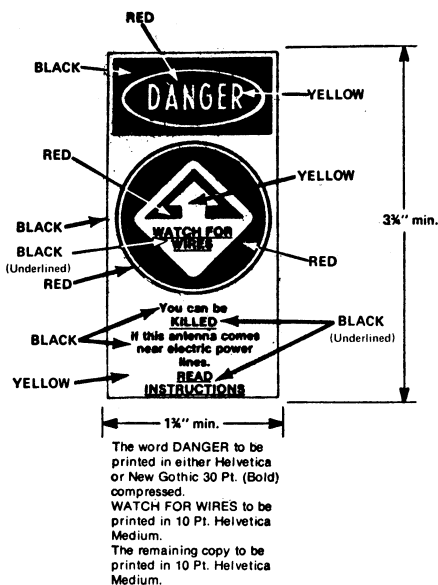


FIGURE 1

(i) *Label.* (A) The antenna shall bear the label shown in fig. 1 so that the

label will be conspicuous to the installer during installation.

(B) If pipe or tubular nontelelescoping masts are a suitable supporting structure for the antenna, a separate label as shown in fig. 1 shall accompany the antenna. The label shall be suitable for mounting by the consumer on such a mast.

(C) The label in figure 1 shall be made and attached in such a manner that it will be legible for an average expected life of at least 3 years.

(D) The word "product" may be substituted for "antenna" in the label of fig. 1.

(E)(1) The colors in figure 1 shall conform to ANSI Standard Z53.1-1971, "Safety Color Code for Marking Physical Hazards," published in 1971 by the American National Standards Institute, which is incorporated by reference. Copies of this document are available from the American National Standards Institute, 1430 Broadway, New York, New York 10018. This standard is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). This incorporation by reference was approved by the Director of the Federal Register. These materials are incorporated as they exist in the edition which has been approved by the Director of the Federal Register and which has been filed with the Office of the Federal Register. Alternatively, the colors "red" and "yellow" in figure 1 may conform to Color Tolerance Charts, published by the Department of Transportation. Copies of the Color Tolerance Charts are available from the Office of Hazardous Materials, Department of Transportation, Washington, DC 20590. These materials are also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(2) Color limit values shall be determined by ASTM D 1535-68, "Specifying